REMARKS

Claims 1-29 remain pending in the application.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

35 USC 112 Second Paragraph Rejection of Claim 29

The Office Action rejected claim 29 as allegedly being indefinite under 35 USC 112. In particular, the recited "a mobile to HTTP gateway application" is unclear because the "gateway application" is not understood in the context of the claim.

An "application" is computer code that performs a particular function. The particular function being performed by the application recited in claim 29 is a mobile to HTTP gateway. The body of the claim recites parts of the application to perform a mobile to HTTP gateway function.

It is respectfully submitted that claim 29 is in full conformance with 35 USC 112. It is respectfully requested that the rejection be withdrawn.

Claims 1-3, 5-7, 9, 10, 14-17, 20, 23-26 and 29 over Fox

In the Office Action, claims 1-3, 5-7, 9, 10, 14-17, 20, 23-26 and 29 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Fox, U.S. Patent No. 6,654,786 ("Fox"). The Applicants respectfully traverse the rejection.

Claims 1-3 and 5-7 recite, *inter alia,* a translation module to insert a short message into an HTTP protocol message.

The Office Action alleges Fox discloses a messenger program 208 in Fig. 4 to form a push message, equated to an HTTP message, using SMS (Office Action, page 7).

Fox discloses a properly formatted add push notification request received by a proxy server connected to a GSM circuit switched wireless network (col. 12, lines 57-59). A messenger program in the proxy server forms a push

message that is sent using a Short Messaging System (Fox, col. 12, lines 59-62). Information from the Internet is sent to a wireless device to update such information as current flight data and current stock prices (Fox, col. 1, lines 18-67). Thus, Fox's invention is directed toward sending data **to** wireless devices, **NOT** sending messages **from** the wireless devices.

Fox's push message originates from the Internet, i.e., an HTTP protocol message. Sending a push message **in one direction** from the Internet **only requires** a messenger program in the proxy server to insert the HTTP protocol message into a short message. A translation module to insert an HTTP protocol message into a short message is **NOT** a translation module to insert a short message into an HTTP protocol message, as recited by claims 1-3 and 5-7.

Claims 9, 10, 14-17, 20 and 23-26 recite, *inter alia*, conveying a short message **to an Internet Protocol server** using an HTTP protocol POST message.

As discussed above, Fox sends a push message **in one direction** from the Internet, **only requiring** a messenger program in the proxy server to insert the HTTP protocol message into a short message. Conveying an HTTP protocol message to a Short Message System is **NOT** conveying a short message **to an Internet Protocol server**, much less using an HTTP protocol POST message, as recited by claims 9, 10, 14-17, 20 and 23-26.

Claim 29 recites, *inter alia*, a poster to convert an SMPP Message **into** an HTTP protocol POST message.

As discussed above, Fox sends a push message **in one direction** from the Internet, **only requiring** a messenger program in the proxy server to insert the HTTP protocol message into a short message. Converting an HTTP protocol message to a SMS protocol message is **NOT** converting an SMPP Message **into** an HTTP protocol POST message, as recited by claim 29.

A benefit of inserting a short message into an HTTP protocol message is, e.g., access of an HTTP network from an SMS enabled wireless device without having to process HTTP protocol. Conventionally, short messages are transferred within a SMS using short message protocol. This

limits a network a short message is able to access using SMS alone. Inserting a short message into an HTTP protocol message allows the short message to be transferred over networks that support HTTP protocol, such as the Internet. Thus allowing an SMS enabled device to access an HTTP network without having to process HTTP protocol messages. This greatly increases the available paths a short message wireless device is able to access and gather information from. The cited prior art fails to disclose or suggest such a benefit.

Accordingly, for at least all the above reasons, claims 1-3, 5-7, 9, 10, 14-17, 20, 23-26 and 29 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 8, 12, 18, 21 and 27 over Fox in view of SMPP Interface Spec.

In the Office Action, claims 8, 12, 18, 21 and 27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Fox in view of SMPP Interface Spec. ("SMPP Interface Spec."). The Applicants respectfully traverse the rejection.

Claims 8, 12, 18, 21 and 27 are dependent on claims 1, 9 and 20, and are allowable for at least the same reasons as claims 1, 9 and 20.

Claim 8 recites, *inter alia,* a translation module to insert a short message into an HTTP protocol message.

As discussed above, Fox disclosing sending a push message **in one direction** from the Internet that **only requires** a messenger program in the proxy server to insert the HTTP protocol message into a short message fails to disclose or suggest a translation module to insert a short message into an HTTP protocol message, as recited by claim 8.

The Office Action relies on SMPP Interface Spec. to allegedly make up for the deficiencies in Fox to arrive at the claimed invention. The Applicants respectfully disagree.

SMPP Interface Spec. appears to disclose, and is relied on to disclose, use of a SUBMIT_SM message and a DELIVER_SM message.

SMPP Interface Spec. discloses messages that are transmitted within an SMPP system. Therefore, all of the messages within an SMPP utilize SMPP protocol. SMPP Interface Spec. fails to disclose or suggest inserting a short message into a foreign protocol message, much less into an HTTP protocol message, as recited by claim 8.

Neither Fox nor SMPP Interface Spec., either alone or in combination, disclose, teach or suggest a translation module to insert a short message into an HTTP protocol message, as recited by claim 8.

Claims 12, 18, 21 and 27 recite, *inter alia*, conveying a short message **to an Internet Protocol server** using an HTTP protocol POST message.

As discussed above, Fox fails to disclose or suggest conveying a short message **to an Internet Protocol server** using an HTTP protocol POST message, as recited by claims 12, 18, 21 and 27.

As discussed above, SMPP Interface Spec. discloses messages that are transmitted within an SMPP system. Therefore, all of the messages within an SMPP utilize SMPP protocol. SMPP Interface Spec. fails to disclose or suggest conveying a short message using a foreign protocol message, much less using an HTTP protocol POST message, as recited by claims 12, 18, 21 and 27.

Neither Fox nor SMPP Interface Spec., either alone or in combination, disclose, teach or suggest conveying a short message **to an Internet Protocol server** using an HTTP protocol POST message, as recited by claims 12, 18, 21 and 27.

Accordingly, for at least all the above reasons, claims 8, 12, 18, 21 and 27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 19 and 28 over Fox in view of SMPP Interface Spec. and Daly

In the Office Action, claims 19 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Fox in view of SMPP Interface

Spec., and further in view of Daly et al., U.S. Patent No. 6,393,014 ("Daly"). The Applicants respectfully traverse the rejection.

Claims 19 and 28 are dependent on claims 9 and 20, and are allowable for at least the same reasons as claims 9 and 20.

Claims 19 and 28 recite, *inter alia*, conveying a short message **to an Internet Protocol server** using an HTTP protocol POST message.

As discussed above, neither Fox nor SMPP Interface Spec., either alone or in combination, disclose, teach or suggest conveying a short message **to an Internet Protocol server** using an HTTP protocol POST message, as recited by claims 19 and 28.

The Office Action relies on Daly to allegedly make up for the deficiencies in Fox and SMPP Interface Spec. to arrive at the claimed invention. The Applicants respectfully disagree.

Daly appears to disclose communicating data to a mobile station from an Internet Protocol (IP) network (Abstract). Data from the mobile station can be transferred from a first network operating under a first protocol to a second network operating under a second protocol (Daly, Abstract). An Enhanced Server can communicate data between an IP network and a handheld device or mobile station (Daly, col. 4, lines 1-6). A teleservice transports datagrams from an application in the IP network to appropriate application in the mobile station through a short message protocol (Daly, col. 5, lines 23-30). The teleservice server translates data from a server such as a web server from an IP to an SMDPP message that includes the data in a form usable by the mobile station (Daly, col. 6, lines 52-55). The server is connected to the Internet and employs HTML (Daly, col. 6, lines 56-57).

Daly discloses a method and system for transferring data from an Internet Protocol (IP) network to a mobile station on a non-IP network (Daly, col. 1, lines 6-10). Daly, like Fox, uses SMS messages to transfer data **only** from an IP network **to a mobile station**. Daly fails to disclose or suggest conveying a short message **to an Internet Protocol server** using an HTTP protocol POST message, as recited by claims 19 and 28.

Neither Fox, SMPP Interface Spec., nor Daly, either alone or in combination, disclose, teach or suggest conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message, as recited by claims 19 and 28.

Accordingly, for at least all the above reasons, claims 19 and 28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claim 11 over Fox in view of Menard

In the Office Action, claim 11 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Fox in view of Menard et al., U.S. Patent No. 6,667,688 ("Menard"). The Applicants respectfully traverse the rejection.

Claim 11 is dependent on claim 9, and is allowable for at least the same reasons as claim 9.

Claim 11 recites, *inter alia*, conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message.

As discussed above, Fox fails to disclose or suggest conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message, as recited by claim 11.

The Office Action relies on Menard to allegedly make up for the deficiencies in Fox to arrive at the claimed invention. The Applicants respectfully disagree.

Menard appears to disclose verification by a remote user of an alarm over a long-range wireless communication network such as paging, cell phone, and other networks (Abstract). Short messages are used for rapid transport of alarm messages **to** a remote user (Menard, col. 4, lines 38-50).

Menard discloses using short messages for transport of alarm messages, like Fox and Daly, **only** from a network **to a mobile station**. Menard fails to even mention using an HTTP protocol POST message, much less conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message, as recited by claim 11.

Neither Fox nor Menard, either alone or in combination, disclose, teach or suggest conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message, as recited by claim 11.

Accordingly, for at least all the above reasons, claim 11 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 4, 13 and 22 over Fox in view of Wollrath

In the Office Action, claims 4, 13 and 22 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Fox in view of *Java-centric Distributed Computing*, Wollrath et al., June 1997 ("Wollrath"). The Applicants respectfully traverse the rejection.

Claims 4, 13 and 22 are dependent on claims 1, 9 and 20, and are allowable for at least the same reasons as claims 1, 9 and 20.

Claim 4 recites, *inter alia,* a translation module to insert a short message into an HTTP protocol message.

As discussed above, Fox fails to disclose or suggest a translation module to insert a short message into an HTTP protocol message, as recited by claim 4.

The Office Action relies on Wollrath to allegedly make up for the deficiencies in Fox to arrive at the claimed invention. The Applicants respectfully disagree.

Wollrath appears to disclose Java Remote Method Invocation (RMI) that supports pure-Java distributed objects in a seamless manner (page 44, col. 2). An example of using RMI is a stock notification service (Wollrath, page 49, col. 2).

Wollrath discloses use of RMI to send information to a remote applet. Wollrath fails to even mention a short messaging system or an HTTP protocol message, much less a translation module to insert a short message into an HTTP protocol message, as recited by claim 4.

Moreover, even if Wollrath disclosed a short message and an HTTP protocol message (which Wollrath fails to do), there is no suggestion in either Fox or Wollrath to use RMI within the system disclosed by Fox, i.e., there is no suggestion to combine the two references.

Neither Fox nor Wollrath, either alone or in combination, disclose, teach or suggest a translation module to insert a short message into an HTTP protocol message, as recited by claim 4.

Claims 13 and 22 recite, *inter alia*, conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message.

As discussed above, Fox fails to disclose or suggest conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message, as recited by claims 13 and 22.

As discussed above, Wollrath fails to even mention a short messaging system or an HTTP protocol message, much less conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message, as recited by claims 13 and 22.

Neither Fox nor SMPP Interface Spec., either alone or in combination, disclose, teach or suggest conveying a short message **to** an Internet Protocol server using an HTTP protocol POST message, as recited by claims 13 and 22.

Accordingly, for at least all the above reasons, claims 4, 13 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
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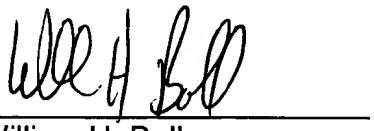

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